

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. CR-17-156-D
)	
DANIELLE DANA LAYMAN,)	
)	
)	
Defendant.)	

ORDER

Ms. Layman pled guilty to possession of an unregistered toxin in violation of 18 U.S.C. § 175b(c)(1) and was subsequently sentenced to 37 months of incarceration and three years of supervised release. Approximately one year into her term of supervised release, she filed a motion seeking early termination [Doc. No. 63], which was denied [Doc. No. 65].

Now before the Court is Defendant's Second Motion for Early Termination of Supervised Release [Doc. No. 70], filed less than six months after her first motion was denied. The government has filed a response objecting to the motion [Doc. No. 73].

Pursuant to 18 U.S.C. § 3583(e)(1), the Court has discretion to modify a term of a supervised release. The statute provides in pertinent part:

The court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7)--

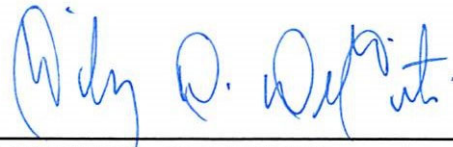
(1) terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is

satisfied that such action is warranted by the conduct of the defendant released and the interest of justice...

The information before the Court indicates that Ms. Layman has successfully served a portion of her supervised release term. The Court commends Ms. Layman for her efforts and sincerely hopes she continues down this path. However, after considering the pertinent factors in § 3553, including the nature and circumstances of the underlying offense, the Court is not persuaded that an early termination of supervised release is warranted at this time.

Accordingly, Defendant's Second Motion for Early Termination of Supervised Release [Doc. No. 70] is DENIED.

IT IS SO ORDERED this 20th day of January, 2023.



TIMOTHY D. DeGIUSTI
Chief United States District Judge